

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
Western Division

FILED BY *SMM* D.C.  
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UNITED STATES OF AMERICA

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WD OF TN, MEMPHIS

-vs-

Case No. 2:04cr20139-002Ma

XAVIER MARTIN

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ORDER OF TEMPORARY DETENTION  
PENDING HEARING<sup>1</sup> PURSUANT TO  
BAIL REFORM ACT

Upon motion of the Government, it is **ORDERED** that a detention hearing is set for **FRIDAY, NOVEMBER 4, 2005 at 3:00 P.M.** before United States Magistrate Judge Diane K. Vescovo in Courtroom No. 5, Third Floor, United States Courthouse and Federal Building, 167 North Main, Memphis, TN. Pending this hearing, the defendant shall be held in custody by the United States Marshal and produced for the hearing.

Date: November 2, 2005

*S. Thomas Anderson*  
S. THOMAS ANDERSON  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup>If not held immediately upon defendant's first appearance, the hearing may be continued for up to three days upon motion of the government, or up to five days upon motion of the defendant. 18 U.S.C. § 3142(f)(2).

A hearing is required whenever the conditions set forth in 18 U.S.C. § 3142(f) are present. Subsection (1) sets forth the grounds that may be asserted only by the attorney for the government; subsection (2) states that a hearing is mandated upon the motion of the attorney for the government or upon the judicial officer's own motion, if there is a serious risk that the defendant (a) will flee or (b) will obstruct or attempt to obstruct justice, or threaten, injure, or intimidate or attempt to threaten, injure, or intimidate a prospective witness or juror.

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# Notice of Distribution

This notice confirms a copy of the document docketed as number 93 in case 2:04-CR-20139 was distributed by fax, mail, or direct printing on November 4, 2005 to the parties listed.

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Ste. 800  
Memphis, TN 38103

Honorable Samuel Mays  
US DISTRICT COURT